

## **Remarks**

Claims 90-102 are pending. Claims 90, 91, 94, 95, 98 and 99 stand rejected. Claims 90, 91, 94, 95, 98 and 99 are cancelled. Claims 92, 96, 100, and 101 are amended.

### Objection to Amendment filed 10/31/03

The Office Action stated that the amended filed 10/31/03 contains new matter. The new matter "incorporated herein by reference" has been cancelled.

Status of Application Serial No.10/094,265 has been updated with U.S. Patent No. 7,022,728.

### Rejections under 35 U.S.C. § 102(e) and § 103(a)

Claims 90, 91, 94 and 96 are rejected under 35 U.S.C. § 102(e) in view of Cowart (US'878). Applicants have deleted claims 90, 91, 94 and 96.

Claims 98 and 99 are rejected under 35 U.S.C. § 103(a) in view of Cowart (US'878). Applicants have deleted claims 98 and 99.

. Claims 92, 96, 100, and 101 have been amended to read as independent claims.

### Conclusions

In view of the foregoing amendments and remarks, Applicants trust that all objections and rejections have been properly addressed and that the application is in condition for allowance.

If the Examiner notes any further matter that the Examiner believes to be expedited by a telephone interview, the Examiner is requested to contact the undersigned.

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under

37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025.

Respectfully submitted,  
Marlon D. Cowart, et al.



Gabryleda Ferrari-Dileo  
Registration No. 55,174  
Attorney for Applicants

ABBOTT LABORATORIES  
**Customer No.: 23492**  
Telephone: (847) 935-4314  
Facsimile: (847) 938-2623